

## Bills Tracked by DHRM

BILL No.	TITLE/PATRON/OFFICE
<a href="#">HB21</a>	<b>Virginia Human Rights Act; prohibited discrimination; sexual orientation and gender identity.</b> Adds discrimination on the basis of an individual's sexual orientation or gender identity as an unlawful discriminatory practice under the Virginia Human Rights Act. The bill also creates a cause of action if any person employed by an employer who employs more than five but fewer than 15 persons is discharged by such employer on the basis of sexual orientation or gender identity. The bill defines "sexual orientation" and "gender identity."
<a href="#">HB23</a>	<b>Prohibited discrimination in public employment and housing;</b> sexual orientation or gender identity. Prohibits discrimination in public employment on the basis of sexual orientation or gender identity. The bill also codifies for state and local government employment the current prohibitions on discrimination in employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran. Additionally, the bill adds discrimination on the basis of an individual's sexual orientation or gender identity as an unlawful housing practice. The bill defines sexual orientation and gender identity.
<a href="#">HB39</a>	<b>Health benefit plans; enrollment by pregnant individuals.</b> Requires health carriers to allow pregnant individuals to enroll in a health benefit plan at any time after the commencement of the pregnancy, with the pregnant individual's coverage being effective as of the first of the month in which the individual receives certification of the pregnancy. The measure applies to such agreements that are entered into, amended, extended, or renewed on or after January 1, 2021.
<a href="#">HB51</a>	<b>Line of Duty Act; eligible dependents.</b> Provides that children born or adopted after the death or disability of an employee covered by the Line of Duty Act are eligible for health insurance coverage if such coverage does not result in a premium increase. Under current law, such children are not eligible regardless of the effect on premiums.
<a href="#">HB67</a>	<b>Strikes by government employees.</b> Limits to law-enforcement officers the scope of the existing provision that deems any public employee who strikes to have terminated his employment and bars him from further public employment.
<a href="#">HB107</a>	<b>Department of Human Resources Management; health insurance for local school board employees.</b> Allows local school boards to elect to have all of their employees and retirees, as well as the dependents of such employees and retirees, be eligible to participate in the state employee health insurance plan in lieu of the current state-administered local health insurance plan. Any participating local school board shall be responsible for whatever portion of the cost of such insurance is not paid by the employee, except any portion that the General Assembly elects to pay.
<a href="#">HB108</a>	<b>Legal holidays; Lee-Jackson Day; Election Day.</b> Designates Election Day, the Tuesday after the first Monday in November, as a state holiday and removes Lee-Jackson Day as a state holiday.

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<a href="#">HB140</a>	<b>Public employment; limitations on inquiries by state agencies and localities regarding criminal arrests, charges, or convictions.</b> Prohibits state agencies and localities from including on any employment application a question inquiring whether the prospective employee has ever been arrested for, charged with, or convicted of any crime. A prospective employee may not be asked if he has ever been arrested or charged with or convicted of any crime unless the inquiry takes place during or after a staff interview of the prospective employee. The prohibition does not apply to applications for employment with law-enforcement agencies or positions related to law-enforcement agencies. The prohibition also does not apply to applications for state agency positions designated as sensitive or to state agencies that are expressly permitted to inquire into an individual's criminal arrests or charges for employment purposes pursuant to any provision of federal or state law.
<a href="#">HB222</a>	<b>Department of Human Resource Management; total compensation statement.</b> Requires the Department of Human Resource Management to develop a total compensation statement for each employee in the service of the Commonwealth to be distributed annually to the employee by hard copy. The bill requires the statement to provide the total value of all compensation provided by the Commonwealth to the employee, including medical benefits, health premium awards, life insurance, flexible spending accounts, bonuses, disability benefits, employee assistance programs, deferred compensation, and retirement benefits.
<a href="#">HB327</a>	<b>Public employees; collective bargaining.</b> Authorizes state and local government officers, agents, and governing bodies to recognize any labor union or other employee association as a bargaining agent of any public officers or employees and to collectively bargain with any such union or association.
<a href="#">HB581</a>	<b>Department of Human Resource Management; required online training for LGBTQ cultural competency.</b> Requires the Department of Human Resource Management to develop an online training module addressing lesbian, gay, bisexual, transgender, and queer (LGBTQ) cultural competency. The bill requires all state employees commencing or recommencing employment with the Commonwealth on or after January 1, 2021, to complete such training within 90 days of commencing or recommencing such employment and all persons employed with the Commonwealth on January 1, 2021, to complete such training no later than April 1, 2021.
<a href="#">HB582</a>	<b>Collective bargaining for public employees.</b> Repeals the existing prohibition on collective bargaining by public employees. The bill creates the Public Employee Relations Board, which will determine appropriate bargaining units and provide for certification and decertification elections for exclusive bargaining representatives of state employees and local government employees. The measure requires public employers and employee organizations that are exclusive bargaining representatives to meet at reasonable times to negotiate in good faith with respect to wages, hours, and other terms and conditions of employment. The measure repeals a provision enacted in 2013 that declares that, in any procedure providing for the designation, selection, or authorization of a labor organization to represent employees, the right of an individual employee to vote by secret ballot is a fundamental right that shall be guaranteed from infringement.

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<a href="#"><u>HB584</u></a>	<b>Virginia Personnel Act; hiring preference in state government for persons with disabilities.</b> Establishes a hiring preference in state government for persons with disabilities, provided that such person meets all of the knowledge, skill, and ability requirements for the available position. The bill defines the term "preference" as requiring that a person with a disability be hired over a person without a disability when the two individuals are substantially equal in qualifications for an eligible position.
<a href="#"><u>HB691</u></a>	<b>Prescription Drug Affordability Board and Office of the Prescription Drug Affordability Board; established.</b> Establishes the Prescription Drug Affordability Board to study, review, and regulate the cost of prescription drugs in the Commonwealth, in consultation with a stakeholder work group appointed by the Board. The bill also establishes the Office of the Prescription Drug Affordability Board to provide staffing and administrative support to the Prescription Drug Affordability Board.
<a href="#"><u>HB757</u></a>	<b>Public employment; limitations on inquiries by state agencies and localities regarding criminal arrests, charges, or convictions.</b> Prohibits state agencies and localities from including on any employment application a question inquiring whether the prospective employee has ever been arrested for, charged with, or convicted of any crime. A prospective employee may not be asked if he has ever been arrested or charged with or convicted of any crime unless the inquiry takes place during or after a staff interview of the prospective employee. The prohibition does not apply to applications for employment with law-enforcement agencies or positions related to law-enforcement agencies. The prohibition also does not apply to applications for state agency positions designated as sensitive or to state agencies that are expressly permitted to inquire into an individual's criminal arrests or charges for employment purposes pursuant to any provision of federal or state law.
<a href="#"><u>HB1098</u></a>	<b>Secretary of Administration; policy of the Commonwealth regarding employment of individuals with disabilities; report deadline.</b> Changes the date by which the Secretary of Administration is required to submit the annual report regarding state employment of individuals with disabilities to the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance from July 1 to September 1.
<a href="#"><u>HB1443</u></a>	<b>Department of Education; biennial teacher compensation review.</b> Requires the Department of Education to conduct a biennial review of teacher compensation that takes into consideration the Commonwealth's compensation for teachers relative to national average teacher salary. Current law requires the Director of Human Resource Management to complete such biennial review.
<a href="#"><u>HB1608</u></a>	<b>Fort Monroe Authority; exemption from the Virginia Personnel Act.</b> Exempts the officers and employees of the Fort Monroe Authority from the provisions and requirements of the Virginia Personnel Act.

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<a href="#">SB23</a>	<b>Prohibited discrimination; sexual orientation and gender identity.</b> Prohibits discrimination in employment and public accommodations on the basis of sexual orientation or gender identity. The bill codifies existing prohibited discrimination in public employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran and adds discrimination based on sexual orientation or gender identity to the list of unlawful discriminatory housing practices. The bill contains technical amendments.
<a href="#">SB40</a>	<b>Line of Duty Act; eligible dependents.</b> Provides that children born or adopted after the death or disability of an employee covered by the Line of Duty Act are eligible for health insurance coverage if such coverage does not result in a premium increase. Under current law, such children are not eligible regardless of the effect on premiums.
<a href="#">SB50</a>	<b>Virginia Human Rights Act; racial discrimination; hair.</b> Provides that the terms "because of race" and "on the basis of race," and terms of similar import, when used in reference to discrimination in the Code of Virginia and acts of the General Assembly, include traits historically associated with race, including hair texture, hair type, and protective hairstyles such as braids, locks, and twists.
<a href="#">SB58</a>	<b>Workers' compensation; presumption of compensability for certain diseases.</b> Adds cancers of the colon, brain, or testes to the list of cancers that are presumed to be an occupational disease covered by the Virginia Workers' Compensation Act when firefighters or certain employees develop the cancer. The measure removes the compensability requirement that the employee who develops cancer had contact with a toxic substance encountered in the line of duty.
<a href="#">SB159</a>	<b>Nondiscrimination in public employment.</b> Prohibits discrimination in public employment on the basis of sexual orientation or gender identity, as defined in the bill. The bill also codifies for state and local government employment the current prohibitions on discrimination in employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran.
<a href="#">SB162</a>	<b>Virginia Personnel Act; hiring preference in state government for persons with disabilities.</b> Establishes a hiring preference in state government for persons with disabilities, provided that such person meets all of the knowledge, skill, and ability requirements for the available position and such person's disability is unrelated to his qualifications for and ability to perform the duties of the available position. The bill defines "person with a disability" as any person who has a physical or mental impairment that substantially limits one or more of his major life activities or who has a record of such impairment.
<a href="#">SB202</a>	<b>Relief for Jack Anthony Maxwell.</b> Provides for the relief of Jack Anthony Maxwell, who is ineligible to participate in the state retiree health benefits program, by directing the Department of Human Resource Management and the Virginia Retirement System to allow Mr. Maxwell to reenter the plan despite electing to discontinue participating in the plan at the time of his retirement. Under current law, if a retiree does not elect to participate in the plan within 31 days of retirement, such person is permanently barred from participating in the plan.

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<a href="#"><u>SB234</u></a>	<b>Department of Human Resources Management; health insurance for local school board employees.</b> Allows local school boards to elect to have all of their employees and retirees, as well as the dependents of such employees and retirees, be eligible to participate in the state employee health insurance plan in lieu of the current state-administered local health insurance plan. Any participating local school board shall be responsible for whatever portion of the cost of such insurance is not paid by the employee, except any portion that the General Assembly elects to pay.
<a href="#"><u>SB322</u></a>	<b>State Employee Ombudsman.</b> Creates the position of State Employee Ombudsman to provide assistance to state employees in understanding human resources policies and rules and accessing available benefits, programs, and resources.
<a href="#"><u>SB406</u></a>	<b>Virginia Environmental Justice Act.</b> Establishes the Virginia Environmental Justice Act to promote the fair treatment and meaningful involvement of all people regardless of race, color, national origin, income, faith, or disability with respect to the development, implementation, and enforcement of environmental laws and policies. Under the bill, state agencies are required to examine any new regulation or policy or amendment to an existing regulation or policy involving state action or funds in relation to its impact on environmental justice prior to adoption of the regulation or policy. The bill requires the Governor's Secretaries to develop a policy or strategy to promote environmental justice in ways that are tailored to the specific authority, mission, and programs under their Secretariat no later than January 1, 2021.
<a href="#"><u>SB508</u></a>	<b>Department of Human Resource Management; local option health insurance plan; brand-name medications.</b> Provides for the local option health insurance plan developed by the Department of Human Resource Management to include coverage for brand-name medications rather than generic medications if deemed necessary by the treating physician.
<a href="#"><u>SB660</u></a>	<b>Virginia Equal Pay Act; civil penalties.</b> Prohibits public and private employers from discriminating between employees on the basis of membership in a protected class in the payment of wages or other compensation, including benefits, by paying wages or other compensation to employees who are members of a protected class at a rate less than the rate at which it pays wages or other compensation to employees who are not members of the protected class for substantially similar work. The measure also prohibits an employer from (i) discriminating between employees by providing less favorable employment opportunities on the basis of membership in a protected class, (ii) limiting an employee's right to discuss wages, (iii) relying on the wage history of a prospective employee in considering the prospective employee for employment or determining the wages that the prospective employee is to be paid by the employer upon hire, or (iv) taking certain retaliatory actions against an employee. The measure also establishes criteria for when wage differentials between employees are permitted. The measure requires employers to (a) provide a prospective employee with the wage range for the position for which the prospective employee is applying upon request or prior to inquiring about the prospective employee's wage expectations or providing an offer of compensation and (b) maintain records of the wages and wage rates, job classifications, and other terms and conditions of employment for a period of three years. The measure gives an employee who is the subject of a violation a right of action to recover, for certain violations, the greater of compensatory damages or \$10,000, liquidated damages, punitive damages, and attorney fees. Violations are also subject to civil penalties.

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<a href="#"><u>SB868</u></a>	<b>Prohibited discrimination; public accommodations, employment, credit, and housing: causes of action; sexual orientation and gender identity.</b> Creates explicit causes of action for unlawful discrimination in public accommodations and employment in the Virginia Human Rights Act. Currently, under the Act there is no cause of action for discrimination in public accommodations, and the only causes of action for discrimination in employment are for (i) unlawful discharge on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, including lactation, by employers employing more than five but fewer than 15 persons and (ii) unlawful discharge on the basis of age by employers employing more than five but fewer than 20 persons. The bill allows the causes of action to be pursued privately by the aggrieved person or, in certain circumstances, by the Attorney General. The bill prohibits discrimination in public and private employment and credit on the basis of sexual orientation or gender identity. The bill also codifies for state and local government employment the current prohibitions on discrimination in employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran. Additionally, the bill prohibits discrimination in public accommodations on the basis of sexual orientation, gender identity, or status as a veteran and adds discrimination on the basis of an individual's sexual orientation, gender identity, pregnancy, childbirth or related medical conditions, marital status, or status as a veteran as an unlawful housing practice. The bill makes technical amendments
<a href="#"><u>SB939</u></a>	<b>Labor and employment; collective bargaining; employees of counties, cities, and towns.</b> Permits counties, cities, and towns to adopt local ordinances authorizing them to (i) recognize any labor union or other employee association as a bargaining agent of any public officers or employees, including public school employees, and (ii) collectively bargain or enter into any collective bargaining contract with any such union or association or its agents with respect to any matter relating to them or their employment.
<a href="#"><u>SB980</u></a>	<b>Fort Monroe Authority; exemption from the Virginia Personnel Act.</b> Exempts the officers and employees of the Fort Monroe Authority from the provisions and requirements of the Virginia Personnel Act.
<a href="#"><u>SB1013</u></a>	<b>Virginia Retirement System; health insurance credits for retired state employees.</b>
<a href="#"><u>SB1022</u></a>	<b>Collective bargaining for public employees.</b> Repeals the existing prohibition on collective bargaining by public employees. The bill creates the Public Employee Relations Board, which will determine appropriate bargaining units and provide for certification and decertification elections for exclusive bargaining representatives of state employees and local government employees. The measure requires public employers and employee organizations that are exclusive bargaining representatives to meet at reasonable times to negotiate in good faith with respect to wages, hours, and other terms and conditions of employment. The measure repeals a provision enacted in 2013 that declares that, in any procedure providing for the designation, selection, or authorization of a labor organization to represent employees, the right of an individual employee to vote by secret ballot is a fundamental right that shall be guaranteed from infringement.